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5 ROBERT ALLEN POOLEY

6
7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF CALIFORNIA

9 UNITED STATES OF AMERICA,) Case No. 2:21-cr-00111-WBS-1
10)
Plaintiff,) STIPULATION AND PROPOSED ORDER TO
11) CONTINUE STATUS CONFERENCE, AND TO
vs.) EXCLUDE TIME
12)
ROBERT ALLEN POOLEY) Date: December 13, 2021
13) Time: 9:00 a.m.
Defendant.) Judge: Hon. William B. Shubb
14)
_____)

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16 IT IS HEREBY STIPULATED by and between the parties hereto through their
17 respective counsel, Acting United States Attorney Phillip A. Talbert, through Assistant United
18 States Attornies Christopher Stanton Hales and Katherine Theresa Lydon, attorneys for Plaintiff,
19 and Federal Defender Heather Williams, through Assistant Federal Defender Hannah Labaree,
20 attorney for defendant Robert Allen Pooley, that the previously-scheduled status conference date
21 of December 13, 2021, be vacated and the matter be set for status conference on July 25, 2022 at
22 9:00 a.m, at the defendant's request.

23 To date, the government has produced over 19,000 individual Bates-stamped items, with
24 additional discovery amounting to over 6 terabytes of data available for further production and
25 inspection. Counsel for the defendant requires time to review discovery, conduct independent
26 investigation, and meet with their client to review the material.

27 Additionally, defense counsel will be on extended medical leave until July 2022. A
28 continuance as requested is necessary to maintain continuity of counsel.

1 For all these reasons, Defense counsel believe that the failure to grant the above-
2 requested continuance would deny them the reasonable time necessary for effective preparation,
3 taking into account the exercise of due diligence, and would deny the defendant continuity of
4 counsel.

5 Based upon the foregoing, the parties agree time under the Speedy Trial Act should be
6 excluded from this order's date through and including July 25, 2022, pursuant to 18 U.S.C.
7 §3161 (h)(7)(A)and (B)(iv) (reasonable time to prepare), and General Order 479, Local Code T4,
8 based upon continuity of counsel and defense preparation.

9 Counsel and the defendant also agree that the ends of justice served by the Court granting
10 this continuance outweigh the best interests of the public and the defendant in a speedy trial.

11 Respectfully submitted,

12 Dated: December 7, 2021

HEATHER E. WILLIAMS
Federal Defender

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14 /s/ Hannah Labaree
HANNAH LABAREE
Assistant Federal Defender
Attorney for Defendant
ROBERT ALLEN POOLEY

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16
17 Dated: December 7, 2021

PHILLIP A TALBERT
Acting United States Attorney

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19 /s/Christopher Stanton Hales
CHRISTOPHER STANTON HALES
Assistant U.S. Attorney
Attorney for Plaintiff

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21 /s/Katherine Theresa Lydon
KATHERINE THERESA LYDON
Assistant U.S. Attorney
Attorney for Plaintiff

ORDER

IT IS HEREBY ORDERED, the Court, having received, read, and considered the parties' stipulation, and good cause appearing therefore, adopts the parties' stipulation in its entirety as its Order. The Court specifically finds the failure to grant a continuance in this case would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court finds the ends of justice are served by granting the requested continuance and outweigh the best interests of the public and defendant in a speedy trial.

The Court orders the time from the date of this order, up to and including July 25, 2022, shall be excluded from computation of time within which the trial of this case must be commenced under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) [reasonable time for counsel to prepare] and General Order 479, (Local Code T4). It is further ordered the December 13, 2021 status conference shall be continued until July 25, 2022, at 9:00 a.m.

Dated: December _____, 2021

Hon. William B. Shubb
United States District Judge